

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEROME GRIMES and MICHAEL FORD, SR.,

Plaintiffs,

v.

BAY AREA RAPID TRANSIT, et al.,

Defendants.

No. C 07-80138M CW

ORDER REGARDING
DEFENDANT'S
MOTION TO DISMISS

On July 3, 2007, this Court entered an Order Returning Complaint to Plaintiff based on the fact that a December 9, 2005 pre-filing order barred Plaintiff's complaint from being filed. Defendant Bay Area Rapid Transit (BART) has filed a motion to dismiss Plaintiff's complaint. Because the complaint is barred from being filed, BART's motion is moot. The Clerk of the Court is ordered to administratively close this motion as moot.

IT IS SO ORDERED.

Dated: 7/31/07



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JEROME GRIMES et al,

Case Number: CV07-80138 CW

Plaintiff,

CERTIFICATE OF SERVICE

BART

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 31, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Dale L. Allen
Low Ball & Lynch
505 Montgomery Street, 7th Floor
San Francisco, CA 94111

Jerome L. Grimes
263 Vernon Street
San Francisco, CA 94132

Dated: July 31, 2007

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk

United States District Court
For the Northern District of California